

ORIGINAL
FILE

RECEIVED

NOV - 5 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) RM-_____
Table of Allotments)
FM Broadcast Stations) MM Docket No. _____
(Seaside, Oregon))

To: Allocations Branch

PETITION FOR RULEMAKING

Ken's Corporation ("KC"), by its attorneys and pursuant to Sections 1.401 and 1.420 of the Commission's Rules, 47 C.F.R. §§ 1.401, 1.420 (1991), hereby petitions the Commission to institute a rulemaking proceeding to modify Section 73.202(b) of the Commission's Rules, 47 C.F.R. § 73.202(b) (1991), to allocate the following new FM channel as indicated below:

| <u>Community</u> | <u>Present Channel</u> | <u>Proposed Channel</u> |
|------------------|------------------------|-------------------------|
| Seaside, Oregon | 234A | 234A*/ 255A |

As demonstrated in the attached Engineering Statement, the proposed allocation of Channel 255A to Seaside, Oregon, will not conflict with any other presently assigned or allotted channels and complies fully with all minimum separation requirements specified in Section 73.207 of the Rules, 47 C.F.R.

*/ On October 26, 1992, the Commission released a Notice of Proposed Rulemaking and Order to Show Cause in Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Camas, Washington and Seaside, Oregon) (DA 92-1333, released Oct. 26, 1992), in which it proposed to substitute Channel 235A for Channel 234A in Seaside, Oregon, in order to accommodate the proposed upgrade of Channel 234C3 to Channel 234C2 in Camas, Washington. The proposed substitution of Channel 235A for Channel 234A in Seaside, Oregon, does not affect and is not affected by the proposal herein.

No. of Copies rec'd
List A B C D E

014

§ 73.207 (1991). In the event that Channel 255A is allocated to Seaside, Oregon, KC or its principals will promptly file an application for a construction permit for the new FM station.

For the foregoing reasons, KC respectfully requests the Commission to initiate a rulemaking proceeding to amend the FM Table of Allotments as set forth above.

Respectfully submitted,

KEN'S CORPORATION

By: Margaret L. Tobey
Margaret L. Tobey

Akin, Gump, Hauer & Feld, L.L.P.
1333 New Hampshire Avenue, N.W.
Suite 400
Washington, D.C. 20036
(202) 887-4377

Its Attorney

November 5, 1992

McCLANATHAN and ASSOCIATES, INC.

PROFESSIONAL ELECTRICAL ENGINEERS
P.O. BOX 939 - PORTLAND, OREGON 97207-0939
TEL: (503) 246-8080 FAX: (503) 246-6304

ENGINEERING STATEMENT

for

KEN'S CORPORATION

Petition for Rule Making

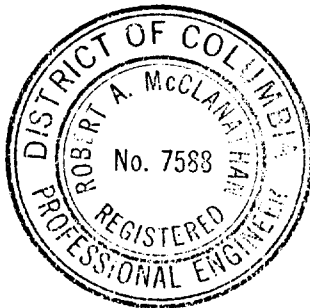
This statement and attached exhibits have been prepared for Ken's Corporation (KC) relative to a petition to amend the FM Table of Assignments, Section 73.202(b) of the Rules and Regulations. This petition requests that FM channel 255A be added to Seaside, Oregon as its second FM allocation.

If this petition is granted by the FCC, the petitioner will immediately tender an application for a construction permit to build the FM facility for operation on channel 255A with the operating parameters tabulated in Exhibit E-1.

The Seaside city center is located on the N005E degree radial and is 10.1 kilometers (6.26 miles) from the proposed FM antenna site to be used with the class A facility. The entire community limits of Seaside will be within the 70 dBu contour from the proposed antenna site.

Exhibit E-2 is an allocation spacing study showing that the proposed FM channel 255A complies with all minimum separation requirements of 47 CFR Section 73.207 of the Rules and Regulations.

Respectfully submitted,



Robert A. McClanathan, P.E.
McClanathan and Associates, Inc.
Professional Electrical Engineers
P.O. Box 939
Portland, OR 97207

October 16, 1992

EXHIBIT E-1

PROPOSED RULE MAKING

MODIFICATION OF FM TABLE OF ASSIGNMENTS, SECTION 73.202(B)

SEASIDE, OREGON

Existing: 234A
Proposed 234A
255A Add

SEASIDE, OREGON

LOCATION: North Latitude 46 - 00 - 00
West Longitude 123 - 55 - 30

PROPOSED SITE LOCATION: North Latitude 45 - 54 - 35
West Longitude 123 - 56 - 07

PRINCIPAL CITY: Seaside, Oregon

FREQUENCY: 98.9 MHz, Ch. 255A

EFFECTIVE RADIATED POWER: 6.00 kW H&V

ANTENNA HAAT: 87.0 meters

DISTANCES TO F(50,50) CONTOURS (kilometers)

| AZ (degs) | HAAT (m) | ERP (dBk) | CONTOUR LEVELS (dBu) | |
|--------------|-------------|--------------|----------------------|------|
| | | | 70 | 60 |
| 0.0 | 208.2 | 7.78 | 23.3 | 39.5 |
| 45.0 | 41.2 | 7.78 | 10.4 | 18.6 |
| 90.0 | 142.3 | 7.78 | 19.5 | 33.2 |
| 135.0 | - 85.5* | 7.78 | 9.0 | 15.9 |
| 180.0 | 52.8 | 7.78 | 11.8 | 21.2 |
| 315.0 | 163.0 | 7.78 | 20.9 | 35.5 |

Antenna HAAT = 87.0

* HAAT assumed to be 30.0 m.

N000E Radial over Pacific Ocean after 7.4 km.
N225E Radial over Pacific Ocean after 3.0 km.
N270E Radial over Pacific Ocean after 3.0 km.
N315E Radial over Pacific Ocean after 5.9 km.

EXHIBIT E-2

McClanathan & Associates, Inc.
Portland, Oregon

Page 1
October 16, 1992

FM Spacing study

Title: SEASIDE, OR
Channel 255A (98.9 MHz)
Database: FCC 08/25/92

Latitude: 45-54-35
Longitude: 123-56-07
Safety zone: 50 km

| Call | Auth | Licensee name | Chan | ERP-kW | Latitude | Br-to | Dist. | Req. |
|---|------|--------------------------|--------|--------|-----------|-------|-------|-------|
| City of License | St | FCC File no. | Freq | EAH-m | Longitude | -from | (km) | (km) |
| KWVA | APC | University of Oregon Fou | *201A | .50 | 44-02-40 | 161.7 | 218.1 | 10 |
| Eugene | OR | | 88.1 | -16 | 123-04-39 | 342.3 | 208.1 | CLEAR |
| KBVM | LIC | Metro Catholic Broadcast | *202C2 | 1.90 | 45-30-58 | 114.7 | 103.3 | 15 |
| Portland | OR | | 88.3 | 428BT | 122-43-59 | 295.6 | 88.33 | CLEAR |
| KRSE | LIC | Yakima Broadcasting Comp | 252A | .70 | 46-31-49 | 74.3 | 277.3 | 31 |
| Yakima | WA | BLH-7495 | 98.3 | 171 | 120-27-15 | 256.8 | 246.3 | CLEAR |
| *TO CHANNEL 289C1 per D84-231 | | | | | | | | |
| ALLOC | | | 253C | | 45-27-13 | 114.7 | 119.5 | 95 |
| Portland | OR | | 98.5 | | 122-32-45 | 295.7 | 24.53 | CLEAR |
| Coordinates updated from LIC record BLH860324KF | | | | | | | | |
| KUPL-FM LIC | | Scripps-Howard Broadcast | 253C | 100 | 45-27-13 | 114.7 | 119.5 | 95 |
| Portland | OR | BLH-860324KF | 98.5 | 337BT | 122-32-45 | 295.7 | 24.53 | CLEAR |
| ALLOC | | | 254C2 | | 43-23-26 | 183.2 | 280.4 | 106 |
| Coos Bay | OR | | 98.7 | | 124-07-46 | 3.1 | 174.4 | CLEAR |
| Coordinates updated from CP record BPH840323AS; Reserved for KYTT per D81-155 | | | | | | | | |
| KEZX-FM LIC | | Roy H. Park B/Cting of W | 255C | 100 | 47-32-41 | 36.8 | 229.2 | 226 |
| Seattle | WA | BLH-7742 | 98.9 | 338BT | 122-06-28 | 218.1 | 3.241 | CLOSE |
| SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION. | | | | | | | | |
| ALLOC | | | 255C | | 47-32-41 | 36.8 | 229.2 | 226 |
| Seattle | WA | | 98.9 | | 122-06-28 | 218.1 | 3.241 | CLOSE |
| Coordinates updated from LIC record BLH7742 | | | | | | | | |
| KPNW-FM LIC | | Pacific Northwest Broadc | 256C | 100 | 44-06-56 | 159.4 | 212.6 | 165 |
| Eugene | OR | BLH-840409BY | 99.1 | 497 | 122-59-56 | 340.1 | 47.61 | CLEAR |
| ALLOC | | | 256C | | 44-06-56 | 159.4 | 212.6 | 165 |
| Eugene | OR | | 99.1 | | 122-59-56 | 340.1 | 47.61 | CLEAR |
| Coordinates updated from LIC record BLH840409BY | | | | | | | | |
| ALLOC | | | 257C1 | | 46-56-59 | 4.3 | 115.9 | 75 |
| Aberdeen | WA | DOC-89-559 | 99.3 | | 123-49-13 | 184.4 | 40.94 | CLEAR |
| Specially Negotiated S/S Allotment W/PWR & HAAT Ltd To 100kw/80HAAT Effective 5-11-90-Rsvd for KAYO per D89-559 | | | | | | | | |
| KAYO-FM APC | | KAYO Broadcasting | 257C1 | 100DA | 46-58-19 | 17.7 | 124.1 | 75 |
| Aberdeen | WA | BPH-900723IC | 99.3 | 146 | 123-26-15 | 198.1 | 49.12 | CLEAR |
| DA: oddball ODD900723IC @ 0 deg | | | | | | | | |

FM Spacing study

Title: SEASIDE, OR
Channel 255A (98.9 MHz)

Latitude: 45-54-35
Longitude: 123-56-07

| Call | Auth | Licensee name | Chan | ERP-kW | Latitude | Br-to | Dist. | Req. |
|-------------------------------------|-----------------------|---------------|---------|--------|-----------|-------|-------|-------|
| City of License | St | FCC File no. | Freq | EAH-m | Longitude | -from | (km) | (km) |
| ----- | | | | | | | | |
| ALLOC | | | 258C1 | | 45-29-23 | 115.4 | 107.2 | 75 |
| Portland | OR | | 99.5 | | 122-41-47 | 296.3 | 32.19 | CLEAR |
| Coordinates updated from LIC record | | | BLH7364 | | | | | |
| | | | | | | | | |
| KWJJ-FM LIC | Contemporary FM, Inc. | | 258C1 | 52 | 45-29-20 | 115.5 | 107.4 | 75 |
| Portland | OR BLH-911106KG | | 99.5 | 386BT | 122-41-40 | 296.3 | 32.37 | CLEAR |

>> End of channel 255A study <<